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REF-28-2004 MED 04:31 PM SENNIGER POWERS	FAX NO. 3142314342	P. 01
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Law Offices of
 SENNIGER, POWERS, LEAVITT AND KOEDER
 One Metropolitan Square, 16th Floor
 St. Louis, Missouri 63102
 Telephone (314) 231-3400
 Facsimile (314) 231-4342

FACSIMILE TRANSMISSION COVER SHEET

DATE: 4/28/04 ATTORNEY DOCKET NUMBER: KTC 4777 (X-C 17,411)

PRO FACSIMILE NUMBER: (703) 872-9306

PLEASE DELIVER THIS FACSIMILE TO: John Calvert
 THIS FACSIMILE IS BEING SENT BY: Richard L. Briden
 NUMBER OF PAGES: 3 INCLUDING COVER SHEET

TIME SENT: 4:20 PM OPERATOR'S NAME: Michelle Grindstaff

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to
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Michelle Grindstaff
 Typed or printed name of person signing certification

[Signature] 4/28/04
 Signature Date

Type of paper transmitted: Letter to the Patent and Trademark
 Office and Interview Summary

Applicant's Name: Paula Mary Scellie et al.

Serial No. (Control No.): 59/877,062 Examiner: Eldon J.

Filing Date: October 12, 2001 Art Unit: 2561

Application Title: A DISPOSABLE ABSORBENT ARTICLE HAVING A COLOR
 GRADATION FEATURE

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PAGE 01 * RCV AT 4/28/04 5:35:03 PM (Eastern Daylight Time) * SVR:USPTO-EFAX-1/1 * DNIS:8729306 * CSID:3142314342 * DURATION (mm-ss):05:34

KCC 4777 (K-C 17,448)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Paula Mary Sosalla et al. Art Unit 3761
Serial No. 09/977,062
Filed October 12, 2001
Confirmation No. 1782
For A DISPOSABLE ABSORBENT ARTICLE HAVING A COLOR GRADATION
FEATURE
Examiner Michele Kidwell

April 28, 2004

LETTER TO PATENT AND TRADEMARK OFFICE
AND INTERVIEW SUMMARY

TO THE COMMISSIONER FOR PATENTS,

SIR/MADAM:

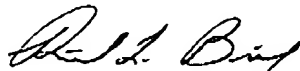
The undersigned thanks Supervisory Examiner John Calvert for his phone conference of April 26, 2004. The advisory action dated April 7, 2004 and the finality of the Office action dated December 29, 2003 were discussed.

Examiner Calvert agreed to withdraw the advisory action and the finality of the final Office action. It is the undersigned's understanding that applicants' Amendment B filed February 27, 2004 will be treated as a timely response to the Office action and that no additional response by the applicants is due at this time.

KC 4777 (K-C 17,448)
PATENT

The undersigned respectfully requests a phone call if any
of the above information is incorrect.

Respectfully submitted,



Richard L. Bridge, Reg. No. 40,529
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

RLB/tmg

VIA FACSIMILE (703) 872-9302

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SENNIGER, POWERS, LEAVITT AND ROEDEL

One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102Telephone (314) 231-5400
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FACSIMILE TRANSMITTAL COVER SHEET

DATE: 12/17/04 ATTORNEY DOCKET NUMBER: KCC 4777 (K-C 17,448)

PTO FACSIMILE NUMBER: (703) 872-9306

PLEASE DELIVER THIS FACSIMILE TO: Larry Schwarz
THIS FACSIMILE IS BEING SENT BY: Richard L. Bridge
NUMBER OF PAGES: 24 INCLUDING COVER SHEETTIME SENT: 4:42 PM OPERATOR'S NAME Michelle Grindstaff

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Typed or printed name of person signing certificationM Grindstaff
Signature12/17/04
DateType of paper transmitted: Letter to the Patent and Trademark
Office (copies of Notice of Abandonment, Amendment B & Request for
Withdrawal of Finality, Interview SummaryApplicant's Name: Paula Mary Sosalla et al.Serial No. (Control No.): 09/977,062 Examiner: KidwellFiling Date: October 12, 2001 Art Unit: 3761Application Title: A DISPOSABLE ABSORBENT ARTICLE HAVING A COLOR
GRADATION FEATUREIF YOU DO NOT RECEIVE ALL PAGES CLEARLY, CALL BACK AS SOON AS
POSSIBLE. CONFIRMING NUMBER IS (314) 231-5400.

KCC 4777 (K-C 17,445)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Paula Mary Sosalla et al. Art Unit 3761
Serial No. 09/977,062
Filed October 12, 2001
Confirmation No. 1782
For A DISPOSABLE ABSORBENT ARTICLE HAVING A COLOR GRADATION
FEATURE
Examiner Michele Kidwell

December 17, 2004

LETTER TO PATENT AND TRADEMARK OFFICE

TO THE COMMISSIONER FOR PATENTS,

SIR/MADAM:

Applicants hereby respectfully request withdrawal of the holding of abandonment set forth in the Notice of Abandonment dated November 2, 2004. A copy of the Notice of Abandonment is enclosed herewith.

1. The Notice of Abandonment states that applicants failed to timely file a response to the final Office action dated December 29, 2003.

2. In response to the final Office action, applicants filed an Amendment B and Request for Withdrawal of the Finality on February 27, 2004. The filing included a full response to all issues raised by the Office in the final Office action, and a request that the Office withdraw the finality of the final Office action in view of the new grounds for rejections made in the final Office action. Enclosed is a copy of the Amendment B and Request for Withdrawal of the Finality. Receipt by the

KCC 4777 (K-C 17,448)
PATENT

Office of the Amendment is acknowledged in the Notice of Abandonment dated November 2, 2004.

3. An advisory action was mailed by the Office on April 7, 2004, in which the Office declined to enter amendments made in the Amendment B and Request for Withdrawal of the Finality. No response to applicants' request for withdrawal of the finality of the final Office action was received.

4. The undersigned had a phone conference with Supervisory Examiner John Calvert on April 26, 2004 regarding applicants' request for withdrawal of the finality of the final Office action. Supervisory Examiner Calvert agreed to withdraw the finality of the final Office action and to treat the Amendment B and Request for Withdrawal of the Finality as a timely response to the Office action, with no additional response by applicants being necessary. A summary of the interview was faxed to the Office by the undersigned on April 28, 2004. A copy of the summary is attached, along with the Office's auto-reply indicating receipt of the summary by the Office.

5. Despite Supervisory Examiner's Calvert's agreement, the Notice of Abandonment dated November 2, 2004 was mailed out.

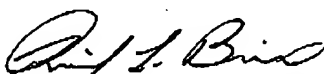
6. In additional conversations between the undersigned and Supervisory Examiner Calvert, Mr. Calvert stated that he was no longer supervising this case, but reiterated his prior agreement and passed on this information to the current supervisor, Larry Schwartz. This letter is being filed pursuant to a request made by Mr. Schwartz in a December 9, 2004 phone conversation with the undersigned.

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PATENT

In view of the above and the attachments included with this letter, applicants request that the holding of abandonment be withdrawn, that the finality of the final Office action dated December 29, 2003 be withdrawn, and that applicants' Amendment B and Request for Withdrawal of Finality dated February 27, 2004 be treated as a timely response to the Office action and given full consideration.

Applicants believe that no fee is necessary in connection with this letter. However, in the event that a fee is deemed necessary, applicants hereby authorize the Office to charge such fee to Deposit Account No. 19-1345.

Respectfully submitted,



Richard L. Bridge, Reg. No. 40,529
SENNIGER POWERS
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

RLB/tmg

VIA FACSIMILE 703-872-9306



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,062	10/12/2001	Paula Mary Sosalla	KCC 4777	1782
321 7500 11/02/2004				
SENNIGER POWERS LEAVITT AND ROEDEL				
ONE METROPOLITAN SQUARE				
16TH FLOOR				
ST LOUIS, MO 63102				
			EXAMINER	
			KIDWELL, MICHELE M.	
			ART UNIT	PAPER NUMBER
			3761	

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment

Application No.

09/977,062

Examiner

Michele Kidwell

Applicant(s)

SOSALLA ET AL

Art Unit

3761

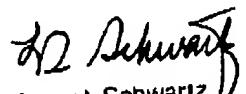
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 12/29/03.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☒ A proposed reply was received on 27 February 2004, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$ _____ is insufficient. A balance of \$ _____ is due.

The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d), is \$ _____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:


Larry I. Schwartz
Supervisory Patent Examiner
Group 3700

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Notice of Abandonment

Part of Paper No. 102704

TRANSACTION REPORTP.01
FEB-27-2004 FRI 02:48 PM

FOR: SENNIGER POWERS

2314342

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
FEB-27	02:45 PM	17033053590	2'59"	15	SEND	OK	358	
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One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102Telephone (314) 231-5400
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FACSIMILE TRANSMITTAL COVER SHEET

DATE: February 27, 2004 ATTORNEY DOCKET NUMBER: KCC 4777 (KC 17,448)

PTO FACSIMILE NUMBER: (703) 305-3590

PLEASE DELIVER THIS FACSIMILE TO: Michele M. KidwellTHIS FACSIMILE IS BEING SENT BY: Donald W. TuegelNUMBER OF PAGES: 15 INCLUDING COVER SHEETTIME SENT: 2:45 OPERATOR'S NAME Cak

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